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10 Attorneys for Plaintiff

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA,) No. CR 10-0256 MHP
17 Plaintiff,)
18 v.) STIPULATION AND ~~PROPOSED~~ ORDER
19 CARLOS ALEJANDRO GARZA-LOPEZ,) EXCLUDING TIME UNDER 18 U.S.C. § 3161
20 Defendant.)
21 _____)

22 The parties appeared before the Honorable Marilyn H. Patel on April 19, 2010. With the
23 agreement of counsel for both parties, the Court found and held as follows:

24 1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161,
25 from April 19, 2010 to May 3, 2010, in light of the need for defense counsel to review discovery
26 and to conduct further investigation. Failure to grant the requested continuance would
27 unreasonably deny defense counsel reasonable time necessary for effective preparation, taking
28

1 into account the exercise of due diligence and the need for counsel to review discovery and to
2 conduct further investigation.

3 2. Given these circumstances, the Court found that the ends of justice served by excluding
4 the period from April 19, 2010 to May 3, 2010, outweigh the best interest of the public and the
5 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

6 3. Accordingly, and with the consent of the defendant, the Court ordered that the period from
7 April 19, 2010 to May 3, 2010, be excluded from the Speedy Trial Act calculations under 18
8 U.S.C. § 3161(h)(7)(A) and (B)(iv).

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10 SO STIPULATED:

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12 JOSEPH P. RUSSONIELLO
United States Attorney

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14 DATED: April 20, 2010

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17 /s/
PATRICIA SPALETTA
Special Assistant United States Attorney

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19 DATED: April 20, 2009

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21 /s/
ELIZABETH FALK
Counsel for Carlos Alejandro Garza-Lopez

22 SO ORDERED.

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24 DATED: 4/21/2010

